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J1031 U.S. PTO

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Attorney Docket P1447R1

PATENT

EL 895 375 507 US: Express Mail Number

December 7, 2001: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

J1050 U.S. PTO  
10/015967  
12/07/01

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:  
Inventor(s) (or Application "Identifier"):

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Title: INTERLEUKIN-8 HOMOLOGOUS POLYPEPTIDES AND THERAPEUTIC USES THEREOF

**1. Type of Application**

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☒ continuation application claiming priority to application Provisional Application Serial Number 60/090,696, filed June 5, 1998, PCT International Application Numbers PCT/US99/12252, filed June 2, 1999, PCT/US00/08439, filed March 30, 2000, PCT/US00/23328, filed August 24, 2000, and PCT/US01/06520 filed February 28, 2001, and US Application Serial Numbers 09/380,137, filed August 25, 1999, 09/709,238 filed November 8, 2000, and 09/941,992, filed August 28, 2001, the entire disclosures of which are hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional )**

106 pages of specification  
4 pages of claims  
1 page(s) of abstract  
9 sheet(s) of drawings  
☐ formal ☒ informal

**3. Declaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*  
  X   An executed declaration of the inventor(s) [X] is enclosed (Unsigned) [ ] will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*  
       A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

*(for Cont./Div. where inventor(s) being deleted)*  
       A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

**4. Assignment**

*(for new and CIP applications)*  
  X   An Assignment of the invention to GENENTECH, INC. [ ] is enclosed with attached Recordation Form Cover Sheet [X] will follow.

*(for cont./div.)*  
       The prior application is assigned of record to Genentech, Inc.

**5. Amendments (for continuation and divisional applications)**

       Cancel in this application original claims \_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

       A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**6. Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

| CLAIMS FOR FEE CALCULATION          |    |              |    |            |                             |
|-------------------------------------|----|--------------|----|------------|-----------------------------|
| Number Filed                        |    | Number Extra |    | Rate       | Basic Fee<br>37 CFR 1.16(a) |
|                                     |    |              |    |            | \$740.00                    |
| Total Claims                        | 32 | - 20 =       | 12 | X \$18.00  | \$216.00                    |
| Independent Claims                  | 20 | - 3 =        | 17 | X \$80.00  | \$1,360.00                  |
| Multiple dependent claim(s), if any |    |              |    | + \$270.00 | \$0.00                      |
| Filing Fee Calculation              |    |              |    |            | \$2,316.00                  |

**7. Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$2,316.00. **A duplicate copy of this transmittal is enclosed.**

**8. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

**9. Additional Papers Enclosed**

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☐ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☒ Other: Post card.

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- \_\_\_\_\_ A petition, fee and/or response has been filed to extend the term in the pending prior application until
- \_\_\_\_\_ A copy of the petition for extension of time in the **prior** application is attached.

**11. Correspondence Address:**

X Address all future communications to:

Attn: Elizabeth M. Barnes, Ph.D.

Respectfully submitted,  
GENENTECH, INC.

Date: December 7, 2001

By: Elizabeth M. Barnes  
Elizabeth M. Barnes, Ph.D.  
Reg. No. 35,059  
Telephone No. (650) 225-4563



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